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Presentment date: July 14, 2023
Presentment time: 12:00 pm

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X
In re: Case No.: 23-71078

GREEN POINT MANAGEMENT SYSTEMS, LLC,
Chapter 11
Debtor.

-----X

**NOTICE OF PRESENTMENT OF MOTION FOR ORDER SETTING A DEADLINE
FOR FILING PROOFS OF CLAIM AND APPROVING NOTICE THEREOF**

PLEASE TAKE NOTICE, that upon the annexed motion (the “Motion”) of Green Point Management Systems, LLC, the above-captioned debtor and debtor-in-possession (“Debtor”), by its proposed attorneys, Jacobs P.C., the proposed Bar Date Order and proposed Bar Date Notice will be presented by the undersigned for approval and signature to the Honorable Louis A. Scarcella, at the United States Bankruptcy Courthouse, Eastern District of New York (Central Islip Division), 290 Federal Plaza, Central Islip, New York 11722 on July 14, 2023 (the “Presentment Date”).

PLEASE TAKE FURTHER NOTICE, that objections, if any, to the relief requested in the Motion must be made in writing, filed with the Court on the Court’s Electronic Case Filing System, at www.ecf.nyeb.uscourts.gov (login and password required), with a copy delivered directly to Chambers and served upon Jacobs PC, proposed attorneys for the Debtor, 595 Madison Avenue, New York, New York 10022, Attn: Leo

Jacobs, Esq., so as to be received before the Presentment Date.

PLEASE TAKE FURTHER NOTICE, that in the event that an objection is received, the Court may hold a hearing with respect to the signature of this Order, and the undersigned will inform any party filing an objection as to the date and time of the hearing.

Dated: New York, New York
June 20, 2023

JACOBS PC
Proposed Attorney for the Debtor
595 Madison Avenue, 39th Floor
New York, NY 10022

By: /s/ Leo Jacobs
Leo Jacobs

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In re: Case No.: 23-71078

GREEN POINT MANAGEMENT SYSTEMS, LLC,

Debtor. Chapter 11
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**DEBTOR’S MOTION FOR AN ORDER SETTING A DEADLINE FOR FILING
PROOFS OF CLAIM AND APPROVING NOTICE THEREOF**

**TO: HON. LOUIS A. SCARCELLA
UNITED STATES BANKRUPTCY JUDGE**

Green Point Management Systems, LLC, the debtor and debtor-in-possession herein (“Green Point” or the “Debtor”), by its proposed counsel, Jacobs P.C., respectfully represents:

PRELIMINARY STATEMENT

1. Green Point asks this Court to enter an order, pursuant to Federal Rule of Bankruptcy Procedure 3003(c)(3) and Administrative Order 684 of the United States Bankruptcy Court for the Eastern District of New York, as amended (the “Administrative Order”), Adopting Procedural Guidelines for Filing Requests for Bar Orders: (a) setting September 20, 2023 at 4:00 p.m. as the deadline (the “General Bar Date”) by which all entities, other than governmental units, must file proofs of claim in the Debtor’s Chapter 11 case and (b) approving the form and manner of notice of the General Bar Date. The Bar Date requested for governmental units (the “Government Bar Date”) is December 20, 2023 at 4:00 p.m., which is a date that is more than one hundred-eighty (180) days after the date of the order for relief in this case (the

“Government Bar Date” together with the General Bar Date, the “Bar Dates”) (the “Motion”).

The Motion should be granted because:

- a.) The Debtor is looking to progress its case;
- b.) Setting the Bar Dates will enable Green Point to fix its universe of claims for preparing its proposed plan of reorganization in this case and its related disclosure statement.

These matters are elucidated herein.

JURISDICTION AND VENUE

2. Green Point filed its voluntary petition for relief with this Court under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101 *et seq.* (the “Bankruptcy Code”), on March 29, 2023.

3. This Court has jurisdiction over this Motion, pursuant to 28 U.S.C. §§ 157 and 1334.
4. This Motion concerns a public right.
5. Venue in this district is proper, pursuant to 28 U.S.C. §§ 1408 and 1409.
6. This matter is a core proceeding, pursuant to 28 U.S.C. § 157.

BACKGROUND

7. On March 29, 2023 (the “Petition Date”), the Debtor filed a petition for relief under Chapter 11 of the Bankruptcy Code.

8. The Debtor is a company that has been engaged in project management and dispute resolution matters. The Debtor commenced this case in connection with a purported default under a loan with Columbia Capital Co. (“Columbia”). This resulted in Columbia scheduling an auction of the Debtor’s condominium that is unit 106 in 231 Norman Avenue,

Brooklyn, NY 11222 (the “Property”). In so doing Columbia is attempting to exercise control of the Debtor. So, by this case, the Debtor aims to preserve its Property and reorganize using its other assets.

9. The Debtor is authorized to remain in possession of its property and to continue in the operation and management of its business as a debtor in possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.

10. No official committee of unsecured creditors has yet been appointed by the Office of the United States Trustee for the Eastern District of New York (the “U.S. Trustee”).

11. The Debtor has filed its schedules of assets and liabilities and statement of financial affairs (collectively, the “Schedules”) [Docket Nos. 19 & 20].

LEGAL BASIS FOR REQUESTED RELIEF

12. The filing of proofs of claim by non-governmental units in a chapter 11 case is governed by Federal Rule of Bankruptcy Procedure 3003(c)(3), which provides, in part, that “[t]he court shall fix and for cause shown may extend the time within which proofs of claim ... may be filed.” The setting of a bar date pursuant to Rule 3003(c)(3) is within the discretion of the Court. *See In re Hooker Investments, Inc.*, 122 B.R. 659, 663 (S.D.N.Y. 1991).

13. The filing of proofs of claim by governmental units in a chapter 11 case is governed by 11 U.S.C. § 502(b)(9), which states in relevant part

Except as [otherwise] provided ... , if [an] objection to a claim is made, the court, after notice and a hearing, shall determine the amount of such claim in lawful currency of the United States as of the date of the filing of the petition, and shall allow such claim in such amount, except to the extent that

(9) proof of such claim is not timely filed, . . . except that a claim of a governmental unit shall be timely filed if it is filed before 180 days after the date of the order for relief or such later time as the Federal Rules of Bankruptcy Procedure may provide ...

REQUEST FOR RELIEF

14. The Debtor respectfully requests the entry of the proposed Order, pursuant to the Administrative Order and Bankruptcy Rule 3003(c)(3):

a. Setting the Bar Dates for all creditors and providing notice of such Bar Dates substantially in the form attached hereto (the “Bar Date Notice”), as the deadline for filing proofs of claim against the Debtor arising before, or which may be deemed to have arisen before, the Petition Date (“Claims”), which Claims are based on any primary, secondary, direct, indirect, secured, unsecured, contingent, guaranty, or other liability of the Debtor, and (i) which Claims are not listed in the Schedules, or (ii) which Claims are listed in the Schedules but are listed in amounts with which the holders of said Claims do not agree, or (iii) which Claims are listed in the Schedules but are disputed as to amount or type, or (iv) which Claims are listed in the Schedules as contingent or unliquidated as to amount, except for claims arising from the rejection of any executory contracts or unexpired leases;

b. Providing for notice of the Bar Dates as proposed herein; and

c. Granting such other and further relief as is just and proper.

15. The Debtor proposes that service of the requisite notice of the Bar Dates (the “Bar Date Notice”) be required to be made in the manner more fully described below. Since the Proposed Order fixing the Bar Dates (the “Bar Date Order”), annexed as Exhibit A to the Proposed Order, is being filed with the Court and served upon the US Trustee, the Debtor requests that September 20, 2023 at 4:00 p.m. be fixed as the General Bar Date. The Debtor will then be able to provide creditors, including governmental units, with the required notice period after service of the Bar Date Notice to file their Proofs of Claim.

16. In view of the nature of this case, as well as the notice procedures set forth below, the Debtor respectfully submits that this time period is sufficient.

FORM AND MANNER OF NOTICE OF THE BAR DATE

17. In addition to setting the Bar Dates, the Debtor requests that the proposed Bar Date Order authorize notice of the Bar Dates, whereby a copy of the Bar Date Notice, substantially in the form annexed hereto, will be mailed, via first-class mail to (i) all persons who, or entities which, have filed a notice of appearance and request for service of papers in this Chapter 11 case under Bankruptcy Rule 2002 and 9010, and (ii) all known creditors of the Debtor determined as of the Petition Date, and (iii) all parties to executory contracts and unexpired leases.

18. The proposed Bar Date Notice informs all entities of the existence of the Bar Dates, their respective rights to file proofs of claim and the consequences of failing to file. Therefore, the Debtor believes that the proposed Bar Date Notice is adequate.

NOTICE

19. Pursuant to Administrative Order No. 684, dated December 16, 2019, notice of this Motion is being given electronically to the U.S. Trustee and has been filed on the docket of the Debtor's case. In light of the nature of the relief requested and it appearing that neither the Bankruptcy Code, the Bankruptcy Rules, the Local Rules of this Court or the Administrative Order require further notice of a Bar Date motion, the Debtor respectfully submits that no further notice need be given.

[Remainder of page intentionally left blank.]

20. **WHEREFORE**, the Debtor requests that an Order be entered substantially in the form of the proposed Order pre-fixed hereto, (i) setting the Bar Dates, (ii) approving, *inter alia*, the Bar Date Notice, (iii) authorizing the Debtor to take all actions and expend such funds as may be necessary to comply with the requirements of the Bar Date Order and Bar Date Notice, and (iv) granting the Debtor such other and further relief as is just and proper.

Dated: New York, New York
June 20, 2023

JACOBS P.C.
Proposed Counsel for the Debtor
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New York, New York 10023
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By: /s/ Leo Jacobs
Leo Jacobs